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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,381	08/15/2001	Tilman Hampl	041165-9019-00	9200

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EXAMINER

SAIN, GAUTAM

ART UNIT PAPER NUMBER

2176

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/930,381

Applicant(s)

HAMPL ET AL.

Examiner

Gautam Sain

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-02 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/15/01</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**1-1) Claims 1, 2, 3, 4, 5, 6, 10, 11, 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Valdez, Jr (US 6426778, filed Apr 3, 1998),.**

**Regarding claim 1,** Valdez teaches “associating ... activatable characterized by” “setting timestamps ... upon its reproduction” (ie., video presentation in time-based relationship interactive elements in a video ... time relationship between video broadcast)(col 3, line 41 – col 4, line 33).

**Regarding claim 2,** Valdez teaches “characterized ... keyboard ... person” (ie., user inputs using the keyboard the interactive elements that can be time-base elements)(col 1, lines 30-38; col 3, lines 42-54).

**Regarding claim 3,** Valdez teaches “characterized ... positional ... element” (ie., webTV browser shows video information independent of the display of data in other areas)(col 3, lines 25-40).

**Regarding claim 4**, Valdez teaches “characterized ... image manner” (ie., video ... placed along a timeline ... moving the object ... played)(col 18, lines 12-30).

**Regarding claim 5**, Valdez teaches “characterized ... video sequence” (ie., webTV browser shows video information independent of the display of data in other areas)(col 3, lines 25-40).

**Regarding claim 6**, Valdez teaches “characterized ... person ... button” (ie., elements of interactive elements that receive user input)(col 2, lines 1-15)(ie., user selects ... appropriate button to perform import)(col 19, lines 45-50).

**Regarding claim 10**, Valdez teaches “characterized by ... timestamps ... properties” (ie., video with information picture-in-picture format ... time-based relationship)(col 3, lines 13-55).

**Regarding claim 11**, Valdez teaches “computer ... realising” (ie., computer system)(col 5, lines 1-45).

**Regarding claim 12**, Valdez teaches “Storage ... realising” (ie., storage devices attached to processor)(col 5, lines 1-45).

### ***Claim Rejections - 35 USC § 103***

2) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2-1) Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Valdez, Jr (as cited above), in view of Na et al (US 6366731, filed Sep 30, 1997).**

**Regarding claim 7,** Valdez does not expressly teach, but Na teaches “characterized in that ... video sequence” (ie., timestamp in video signal ... link ...)(col 7, lines 37-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Valdez to include a timestamp as a link in a video signal as taught by Na, providing the benefit of providing interactive components such as markup language elements in motion video (Valdez, col 1, lines 5-10) with links to other interactive elements (col 2, lines 5-15) for a video presentation in a time-based relationship over a distributed network, and editing system ... interactive elements (ie., col 3, lines 25 –50), in a multi-media system for transferring a single program transport stream (Na, Abstract section).

**2-2) Claims 8, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valdez, Jr (as cited above), in view of Takahashi et al (US 542877, issued Jun 27, 1995).**

**Regarding claim 8,** Valdez does not expressly teach, but Takahashi teaches “characterised ... monitored” (ie., interval defined by minimum value ... for a record ...)(col 7, lines 33-61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Valdez to include defining minimal interval values for a record as taught by Takahashi, providing the benefit of efficiently creating an index file ...

constituting portions of a motion image ... enabling the user to verify the retrieval result efficiently (Takahashi, col 3, lines 50-60, Fig 16).

**Regarding claim 9**, Valdes does not expressly teach, but Takahashi teaches "characterized ... activatibility periods" (ie., interval defined by minimum ... maximum value ... for a record ...)(col 7, lines 33-61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Valdez to include defining minimal interval values for a record as taught by Takahashi, providing the benefit of efficiently creating an index file ... constituting portions of a motion image ... enabling the user to verify the retrieval result efficiently (Takahashi, col 3, lines 50-60, Fig 16).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 703-305-8777. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703)305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

G.S.

GS

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER